



General Assembly

January Session, 2011

Raised Bill No. 845

LCO No. 2590

02590_____KID

Referred to Committee on Select Committee on Children

Introduced by:
(KID)

***AN ACT REQUIRING THE DEPARTMENT OF CHILDREN AND
FAMILIES TO NOTIFY NONCUSTODIAL PARENTS OF CERTAIN
ABUSE AND NEGLECT INVESTIGATIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-103b of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2011*):

3 (a) Upon a [substantiated] complaint of abuse or neglect of a child
4 having a single custodial parent or a guardian, the Department of
5 Children and Families shall give [, when deemed to be in the best
6 interests of the child,] to the noncustodial parent, custodial parent,
7 guardian of the child, and parents if the Department of Children and
8 Families has custody of a child, notice of (1) the circumstances of the
9 complaint, including the name of the person who is alleged to have
10 caused the abuse or neglect, (2) the availability of services from the
11 department, including, but not limited to, child care subsidies and
12 emergency shelter, and (3) the programs of the Office of Victim
13 Services and information on obtaining a restraining order. The notice
14 shall also inform the recipient that such child may be removed from
15 the custody of the custodial parent by the department if such removal

16 is authorized under the general statutes. The department shall employ
 17 all reasonable efforts to provide the notice [within] not later than ten
 18 days [of substantiation of a] after the date the complaint was filed.
 19 Notwithstanding the provisions of this subsection, if the department
 20 determines that disclosure of detailed information may result in a risk
 21 of physical harm to a person, the department shall provide notice of
 22 the complaint only and advise the recipient, in writing, of the right to
 23 seek judicial relief pursuant to subdivision (2) of subsection (n) of
 24 section 17a-28, as amended by this act.

25 (b) The notice required under subsection (a) of this section shall be
 26 in English or the principal language of the recipient, if known, and be
 27 delivered (1) by certified mail, return receipt requested, directed to the
 28 last-known address of each recipient, or (2) by an agent of the
 29 department. In the case of personal delivery by an agent, written
 30 acknowledgment of such delivery shall be made by the recipient.

31 Sec. 2. Subsection (n) of section 17a-28 of the general statutes is
 32 repealed and the following is substituted in lieu thereof (*Effective*
 33 *October 1, 2011*):

34 (n) (1) Any person, attorney or authorized representative aggrieved
 35 by a violation of subsection (b), (f), (g), (h), (i), (j) or (l) of this section or
 36 of subsection (m) of this section, except subdivision (2) of said
 37 subsection (m), may seek judicial relief in the same manner as
 38 provided in section 52-146j; (2) any person, attorney or authorized
 39 representative denied access to records by the commissioner under
 40 subdivision (2) of subsection (m) of this section, or subsection (a) of
 41 section 17a-103b, as amended by this act, may petition the superior
 42 court for the venue district provided in section 46b-142 in which the
 43 person resides for an order requiring the commissioner to permit
 44 access to those records, and the court after hearing, and an in camera
 45 review of the records in question, shall issue such an order unless it
 46 determines that to permit such access would be contrary to the best
 47 interests of the person or authorized representative.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	17a-103b
Sec. 2	<i>October 1, 2011</i>	17a-28(n)

Statement of Purpose:

To require the Department of Children and Families to notify noncustodial parents when a complaint of abuse or neglect has been made regarding their child.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]